

FBI

Date: 1/21/69

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)

TO: ~~SA~~ DIRECTOR, FBI

FROM: SAC, LITTLE ROCK (58-NEW) (P)

ARTLE SPENCER;
 AUDREY V. (MRS. ARTLE) SPENCER
 BRIBERY, ~~AND~~ CONFLICT OF INTEREST

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SD

[redacted], Federal State Supervisor, Consumer Marketing Service, U. S. Department of Agriculture, Grading Branch, Poultry Division, 2915 South Pine Street, Little Rock, Arkansas, telephone [redacted] extension [redacted] came to the Little Rock Office 1/21/68 and advised he had received a confidential tip that the subject, AUDREY V. SPENCER, had been receiving \$200 per month from 1965 to 1967 from the Tyson Poultry Company, Springdale, Arkansas. Subject ARTLE SPENCER is a poultry products grader (employee of U. S. Department of Agriculture) stationed at Tyson Poultry Company in Springdale.

[redacted] stated when he received this information he reported it to his supervisor who advised that it should be reported to the FBI. He stated that employees in the Grading Branch are not permitted to accept any gift from a company where they are stationed or even to buy the company's product directly from the company. He stated that there are Department rules that prohibit graders' spouse working for the company where he is employed. Exceptions are made in some cases where permission is requested for a spouse to be so employed if the personnel department determines that the work to be done by the spouse has nothing

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③ - Bureau
 2 - Little Rock
 FWR:raj
 (5)

REC- 88

58- 6881

MCT-1

JAN 24 1969

Approved: 67-1-3-1969

Sent

M

Per

Agent in Charge

LR 58-NEW

whatever to do with the grading or inspection services.

Investigation is being instituted to determine if a violation exists.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Fort Smith, Arkansas

Report of:

SA [REDACTED]

Office:

LITTLE ROCK

Date:

2/25/69

Field Office File #:

58-95

Bureau File #:

58-6881

Title:

ARTLE B. SPENCER;
AUDREY V. SPENCER;
DON TYSONb6
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Character:

BRIBERY; CONFLICT OF INTEREST

Synopsis:

[REDACTED] Federal State Supervisor, Consumer Marketing Service, U. S. Department of Agriculture, Grading Branch, Poultry Division, Little Rock, Ark., advised ARTLE SPENCER is poultry grader under NACC and since February, 1945, an employee of the Department of Agriculture. Stated 8/3/64 SPENCER requested re-classification from Supervisor GS-9 to NACC poultry produce grader with salary cut of \$2640 and on his request assigned to Tyson Poultry Co., Springdale, Ark. [REDACTED] stated shortly thereafter SPENCER told him of Mrs. SPENCER selling painting to Tyson Poultry Co., Springdale, and [REDACTED] claims admonished him and told him to not let her sell anymore paintings without first obtaining permission. Internal Revenue Service Investigator, Little Rock, Ark., advised [REDACTED] that Mrs. SPENCER had been receiving \$200 a month during 1965 through 1967. Data Processing, Tyson Poultry Co., Springdale, failed to reveal Mrs. SPENCER employed. [REDACTED] Tyson Food, Inc., Springdale, advised AUDREY V. SPENCER since 11/7/64 has received \$200 consulting fee from the company. Stated agreement entered into by Mrs. SPENCER and DON TYSON and he is not aware of her services. ARTLE B. SPENCER stated actual inspection of chickens is done by a veterinarian and he grades chickens and weighs them. Claims he recommended his wife to DON TYSON when TYSON indicated needed an artist. Advised his wife entered into an agreement with TYSON, assists with blending of colors,

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advertising in magazines, does art work, and acts as consultant. Claims does not effect his work, no pressure involved, does not feel he is indebted to Tyson Food, Inc., and of opinion permission for her to work not necessary. Stated told [] Little Rock, of the employment, and alleges [] never told him that she should quit her job. Does not desire she be interviewed at this time due to illness. Her doctor, Springdale, not available for interview due to sickness. DON TYSON, Springdale, to date, not available for interview as out of town. USA, Fort Smith, Ark., kept apprised of developments and desires interviews of persons involved before rendering opinion.

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DETAILS:

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[]
Consumer Marketing Service, U. S. Department of Agriculture, Grading Branch, Poultry Division, 2015 South Pine Street, Little Rock, Arkansas, telephone [], extension [], came to the Little Rock Office on January 21, 1968, and advised he had received a confidential tip that the subject, AUDREY V. SPENCER, had been receiving \$200 per month from 1965 to 1967 from the Tyson Poultry Company, Springdale, Arkansas. Subject ARTLE SPENCER is a poultry products grader (employee of U. S. Department of Agriculture) stationed at Tyson Poultry Company in Springdale.

[] stated when he received this information he reported it to his supervisor who advised that it should be reported to the FBI. He stated that employees in the Grading Branch are not permitted to accept any gift from a company where they are stationed or even to buy the company's product directly from the company. He stated that there are Department rules that prohibit graders' spouse working for the company where he is employed. Exceptions are made in some cases where permission is requested for a spouse to be so employed if the personnel department determines that the work to be done by the spouse has nothing

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whatever to do with the grading or inspection services.

[redacted] Assistant U. S. Attorney, Fort Smith, Arkansas, on January 28, 1969, stated that [redacted] [redacted] Consumer Marketing Service, U. S. Department of Agriculture, Little Rock, Arkansas, has not furnished sufficient facts for him to reach an opinion in connection with the matter. He stated he desires, before rendering an opinion or any investigation be conducted, that a statement be taken from [redacted] disclosing complete facts as to the allegation, date received, complete dates of activity, parties having knowledge, and information concerning the allegation, and source from which [redacted] obtained the information.

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FEDERAL BUREAU OF INVESTIGATION

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Date 1/30/69

[redacted]
Consumer Marketing Service, U. S. Department of Agriculture, Grading Branch, Poultry Division, Little Rock (hereinafter called C&MS), was interviewed for clarification of information he furnished January 21, 1969, to the effect that he had received a tip that Mrs. AUDREY V. SPENCER was receiving money from Tyson Poultry Company, Springdale, Arkansas, where her husband, ARTLE SPENCER, was employed as a grader by C&MS.

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[redacted] stated that ARTLE SPENCER is a poultry grader under NACC, which is a joint Federal and state grading service. His salary is paid by the Federal Government. ARTLE SPENCER was born on June 12, 1908. He began working for the U. S. Department of Agriculture in February 1945, and advanced to Grade GS-9 with the title Supervisor, Agriculture Commodity Grader (Poultry). In 1964, the Department needed to reduce the number of employees in this grade in Arkansas from four to three. They wanted SPENCER to travel between various poultry plants in this job. He did not want to travel and requested permanent assignment at one plant. On August 3, 1964, he was re-classified from the above GS-9 position at \$8,640.00 per year to "NACC Agt Pltry Prod Grdr" at \$6,000.00 per annum and assigned to Tyson Poultry Company, Springdale, Arkansas.

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[redacted] advised that Mrs. AUDREY V. SPENCER, sometimes known as VERNICE SPENCER, is an artist and that shortly after they moved to Springdale she started studying art at the University of Arkansas at Fayetteville. It was not long after that that Mr. SPENCER told [redacted] his, SPENCER's, wife had sold a painting to Tyson Poultry Company. [redacted] admonished SPENCER for this and told him not to let her sell any more paintings to the company unless he first obtained permission from the personnel section of C&MS. He stated that the graders and inspectors know that they and their wives cannot have business dealings with the company where the employee is stationed and, also, that the wives cannot be employed by the company where the grader is stationed without first obtaining permission. He stated that requests for such permission are sent to his office and then to the Personnel Division in Chicago, where permission

On 1/30/69 at Little Rock, Arkansas File# LR 58-95

by SA F. WILLARD RALSTON/ds 4 Date dictated 1/30/69

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can be obtained if the wife is employed in a position where there would be no chance for conflict of interests. [] stated he has received no such request from SPENCER or his wife.

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He stated that personnel records and regulations and any information concerning employees may be obtained from [] 536 South Clark Street, Chicago, Illinois.

With regard to the information that Mrs. SPENCER had received money from Tyson Poultry Plant, [] stated that he was recently interviewed by an investigator from the Internal Revenue Service who was checking C&MS files concerning Mr. and Mrs. ARTLE SPENCER in connection with an investigation of their income tax returns for 1965 through 1967. [] stated that the investigator made the remark that the returns seemed to be unusual and that Tyson Poultry Company had paid Mrs. SPENCER \$200.00 per month during the above period. [] stated he told the IRS agent that to the best of his knowledge, Mrs. SPENCER was not employed by Tyson. He has since learned that the personnel division in Chicago has no record of her being employed by Tyson.

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[] reported the above incident to a supervisor, who referred him to C&MS instructions, number 366-1, Section VII, subsection 4, which states, "Exclusive Jurisdiction over Investigation of Cases of Alleged or Suspected Bribery in Federal Service. This is vested in the Federal Bureau of Investigation. Report to nearest office of FBI." [] stated he made this report to the FBI without conducting any investigation as any investigation he made might interfere with the FBI's work. He stated he has no direct knowledge of this case to which he could testify and sees no reason for putting this information in a signed statement.

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[] stated he had no physical description of ARTLE SPENCER except his birthdate, given above, as June 12, 1908, and the fact that in 1966 SPENCER was off for a considerable time when he had cancer that required the removal

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of a shoulder blade.. This caused a severe physical handicap and he had to get special permission to return to his job.

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[REDACTED], Assistant U. S. Attorney, Fort Smith, Arkansas, on February 6, 1969, requested he be furnished with the results of a check of the employment records of Tysons Foods, Incorporated, Springdale, Arkansas, relative to the employment of Mrs. SPENCER; an interview with ARTLE B. SPENCER, Mrs. AUDREY V. SPENCER, and DON TYSON, before he can determine whether there has been a violation of a Federal statute.

FEDERAL BUREAU OF INVESTIGATION

1Date 2/13/69

[redacted]
Tyson Poultry Company, Springdale, Arkansas, advised his records failed to reveal that Mrs. ARTLE SPENCER, AUDREY V. SPENCER or VERNICE SPENCER has ever been an employee of the Tyson Poultry Company at Springdale.

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[redacted] informed that inquiries should be made of [redacted] of Tyson Food, Inc. at Springdale, Arkansas, to determine if [redacted] has any record of any disbursements made to these individuals.

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On 2/6/69 at Springdale, Arkansas File# LR 58-95

by SA [redacted]/ds 8 Date dictated 2/11/69

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

1Date 2/13/69

[redacted] of Tyson Food, Inc., Springdale, Arkansas, advised when asked if AUDREY V. SPENCER was on the payroll of Tyson Food, Inc. that he was not surprised of an inquiry being made inasmuch as the Tyson Food, Inc. had charged off as expenses the money paid to AUDREY V. SPENCER and the Internal Revenue Department had questioned this being a deductible item. He indicated an opinion had not been made by the Internal Revenue Department, but that he had furnished the Revenue Department copies of checks reflecting the payments made to AUDREY V. SPENCER during the period from November 7, 1964, through August 31, 1967, which was the period questioned by the Internal Revenue Department.

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[redacted] stated that AUDREY V. SPENCER of 809 Hinshaw, Springdale, Arkansas, has been paid \$200.00 a month by Tyson Food, Inc. as a consulting fee and that the agreement to pay her this amount was entered into by DON TYSON, Manager of Tyson Food, Inc. and Mrs. SPENCER and he is not aware of the type of consulting work Mrs. SPENCER is furnishing.

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[redacted] stated he is aware that AUDREY V. SPENCER is the wife of ARTLE SPENCER, who is a poultry products grader and an employee of the U. S. Department of Agriculture.

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He stated Mr. SPENCER is not receiving any form of pay from Tyson Food, Inc. and the payments made to Mrs. SPENCER are coming out of what is known as the General Disbursement Fund of the company.

[redacted] furnished copies of checks payable to AUDREY V. SPENCER, 809 Hinshaw Street, Springdale, Arkansas, for the period from November 7, 1964, through August 31, 1967, with the exception of one check issued in May 1966, which he indicated was not available.

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According to [redacted] AUDREY V. SPENCER is still receiving \$200.00 a month from the Tyson Food, Inc. at Springdale, Arkansas.

On 2/7/69 at Springdale, Arkansas File# LR 58-95

by SA [redacted]/ds 9 b6 b7C Date dictated 2/11/69

FEDERAL BUREAU OF INVESTIGATION

1

Date 2/13/69

ARTLE B. SPENCER was interviewed at the Tyson Processing Plant, Springdale, Arkansas, in the presence of SA JOHN H. LUPTON.

Previous to the interview, ARTLE B. SPENCER was warned of his rights and he waived them as shown on an executed warning and waiver form. Mr. SPENCER was placed under oath and he voluntarily furnished the following information:

He has been working for the U. S. Department of Agriculture since February 1945, and in November 1961, came to Springdale, Arkansas, as a Circuit Supervisor and as it was necessary for him to be on the road, in June 1963, he requested that he be taken off of the job of Circuit Supervisor and assigned to a plant. In accordance with his request, in August 1964, he was assigned to the Tyson Processing Plant at Springdale, Arkansas, as a poultry grader which meant a cut in salary of well over \$1,000.00, but inasmuch as it would be possible for him to obtain some overtime in this position, he felt that he had rather be assigned to the plant than be on the road continuously as he had been for the past fourteen years.

His salary is entirely paid by the U. S. Department of Agriculture and at the present time he is making approximately \$8,700.00 a year.

Under his supervision he has five girls working for him, a [redacted] who actually do the grading under his supervision. He stated they check the chickens to determine if there are any broken bones or wings, check the breast to determine the fleshing of the breast, amount of tallow under the skin and then place the chickens in the grade to which they belong. The birds who meet the proper specifications as to a Grade A rating are placed in a bag marked Grade A and so certified and the other grades are packed under the company name of Tyson. The five girls working under his supervision are employees of Tyson and he checks their work and weighs the

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On 2/10/69 at Springdale, Arkansas File # LR 58-95
by SA's [redacted] and JOHN H. LUPTON/HLT/ds 10 Date dictated 2/11/69

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bags and so forth to determine that there has been a proper certification of the chickens.

Before the chickens are graded, a veterinarian is in charge of four helpers who actually do the inspection of the chickens before they reach his grading department.

According to Mr. SPENCER, during the latter part of 1964 or first of 1965, DON TYSON, owner of Tyson Food, Inc., mentioned he needed someone to do art work and he told Mr. TYSON that his wife was an artist. He stated his wife is a graduate of a four-year course out of an art school at Minneapolis, Minnesota, and in addition has had one and one-half years of work in the advanced art work at the University of Arkansas.

He stated Mr. TYSON came out to his home one day and looked over some of the work his wife had done in the art field and discussed with her the possibility of using her as a consultant for Tyson Food, Inc. in the art field. He stated she went to work for Tyson Food, Inc. at a salary of \$200.00 a month and all of her work for Tyson Food, Inc. is done at their home in an area he has constructed in the garage at 809 Hinshaw. He stated his wife advises the Tyson Food, Inc. in the blending of colors, advertising in magazines, does art work for Tyson Food, Inc. and acts as a consultant on any art projects considered by Tyson, including ink work and newspaper layouts.

The job was set up between his wife and Mr. TYSON and he did not in any way participate in setting up the job for her.

On one occasion, he informed, he mentioned her employment as art consultant to [REDACTED], Consumer Marketing Service, U. S. Department of Agriculture, Grading Branch, Poultry Division, Little Rock, Arkansas, and at the time [REDACTED] did not indicate to him that he felt she should quit her job.

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As her job does not in any way have anything to do with his own work for Tyson Food, Inc. for the Department of Agriculture, he did not feel that it would be necessary for him to obtain permission from the U. S. Department of Agriculture for her to perform this art work for Tyson Food, Inc.

Since she took the job, it has not in any way affected his work, he has not been under any pressure and he does not feel he owes any indebtedness to Tyson Food, Inc. for employing his wife as an art consultant.

Mr. SPENCER stated he does not know whether the Tyson Food, Inc. has an art division in the company and to his knowledge all of the consulting work with Mrs. SPENCER is done by Mr. DON TYSON.

Mr. SPENCER was advised that it would be necessary to interview Mrs. AUDREY V. SPENCER and he stated that he requests that his wife not be interviewed at the present time as she has had the Asian flu and had a relapse, was in the hospital for a period of seven days and then allowed by her doctor to go home and then had to return to the hospital where she spent twenty-six days, being released on December 20, 1968. He stated she is not able to be up but for only a short time from her bed and that he feels any interview of her at this time would upset her and possibly place her back in the hospital. He stated she has lost seventeen pounds and as she only weighs 97 pounds at the present time and not in very good health, he would appreciate the interview being held off until she is in better health. He stated her doctor is [REDACTED] [REDACTED], Arkansas.

ARTLE B. SPENCER is described as follows:

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Age	60
Date of Birth	June 12, 1908
Place of Birth	Tecumseh, Oklahoma
Height	5'10"
Weight	168 pounds
Eyes	Hazel
Hair	Gray

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Complexion
Build
Education

Fair
Slender
B.S. Degree in Agriculture,
Central State, Edmund,
Oklahoma

Armed Services
Record
Scars and Marks

None
Has had shoulder blade
removed from right shoulder;
brown birth mark on right
side of neck

Relatives

AUDREY VERNICE SPENCER, wife,
aged 59, 809 Hinshaw,
Springdale, Arkansas

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[redacted], aged
[redacted]
[redacted], Texas

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On February 11, 1969; February 17, 1969, and February 21, 1969, an attempt was made to contact [redacted] at his office on [redacted], Arkansas, to determine when Mrs. AUDREY V. SPENCER would be physically able to be interviewed, and [redacted] office girl informed [redacted] has been sick, and not available for interview.

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On February 11, 1969; February 17, 1969, and February 21, 1969, efforts were made to locate DON TYSON, Tyson Food Incorporated, Springdale, Arkansas, for interview and his office, on each occasion, advised Mr. TYSON was out of town, and he would contact SA [redacted] upon his return.

SAC, Little Rock (58-95)

March 4, 1969

REC-113

Director, FBI (58-6881)-2

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1 - [redacted]
1 - [redacted]
1 - FOF

ARTLE B. SPENCER;
ET AL.
BRIBERY; CONFLICT
OF INTEREST
OO: LITTLE ROCK

EX-104

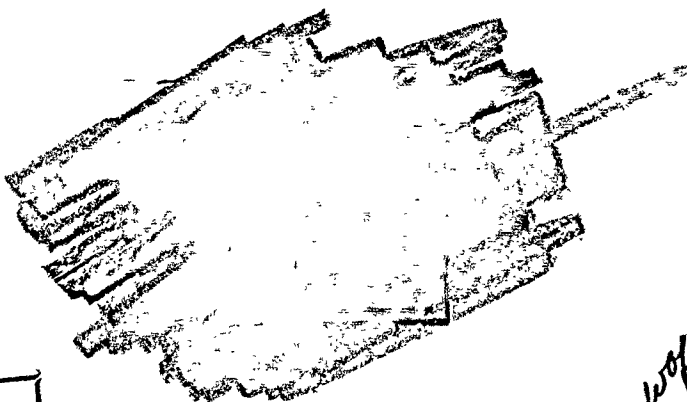
ghw

Rerep SA [redacted] dated 2/25/69 at Little Rock.

Title of rerep failed to set forth job descriptive data of subject Artle B. Spencer, an employee for the Department of Agriculture as required in FBI Handbook, Part I, page 42a. Insure the titles in future correspondence contain the required data. Score nonsubstantive error.

The Bureau also desires that Little Rock immediately submit a brief LHM on subject Artle B. Spencer, including his job descriptive data in the title of the LHM and cover communication. The details of the LHM should briefly set forth the allegation against this subject, opinion of the USA and the action being taken by the FBI.

JHH/lrk
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MAILED 4
MAR 4 - 1969
COMM-FBI

- Tolson _____
- DeLoach _____
- Mohr _____
- Bishop _____
- Casper _____
- Callahan _____
- Conrad _____
- Felt _____
- Gale _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

MAR 26 1969

MAIL ROOM ☐ TELETYPE UNIT ☐



FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE LITTLE ROCK	OFFICE OF ORIGIN LITTLE ROCK	DATE 2/25/69	INVESTIGATIVE PERIOD 1/21-2/21/69	b6 b7C
TITLE OF CASE CHANGED ARTLE B. SPENCER; AUDREY V. SPENCER, aka., Mrs. Artle B. Spencer, Vernice Spencer; DON TYSON		REPORT MADE BY SA 		TYPED BY raj
		CHARACTER OF CASE BRIBERY; CONFLICT OF INTEREST		

K Title marked changed to reflect additional aliases of AUDREY V. SPENCER and add DON TYSON as a subject. 10

REFERENCE:

Little Rock airtel to Bureau dated 1/21/69.

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ADMINISTRATIVE:

An extra copy of this report is being furnished to the Bureau as the Bureau may desire to make a copy of this report available to the U. S. Department of Agriculture, Consumer and Marketing Services, Washington, D. C., as Employee Relations Specialist, U. S. Department of Agriculture, 11

ACCOMPLISHMENTS CLAIMED none						ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE:		58-6881-2 MCT-1
④ - Bureau (58-6881) 1 - USA, Fort Smith 3 - Little Rock (58-95)		25 FEB 26 1969 b6 b7C
		REC-31

Dissemination Record of Attached Report				Notations
Agency	1 - Rep. 2 - RPO			VET 16 3/19/69 4/19/69 5/19/69 6/19/69 7/19/69 8/19/69 9/19/69 10/19/69 11/19/69 12/19/69 1/19/70 2/19/70 3/19/70 4/19/70 5/19/70 6/19/70 7/19/70 8/19/70 9/19/70 10/19/70 11/19/70 12/19/70 1/19/71 2/19/71 3/19/71 4/19/71 5/19/71 6/19/71 7/19/71 8/19/71 9/19/71 10/19/71 11/19/71 12/19/71 1/19/72 2/19/72 3/19/72 4/19/72 5/19/72 6/19/72 7/19/72 8/19/72 9/19/72 10/19/72 11/19/72 12/19/72 1/19/73 2/19/73 3/19/73 4/19/73 5/19/73 6/19/73 7/19/73 8/19/73 9/19/73 10/19/73 11/19/73 12/19/73 1/19/74 2/19/74 3/19/74 4/19/74 5/19/74 6/19/74 7/19/74 8/19/74 9/19/74 10/19/74 11/19/74 12/19/74 1/19/75 2/19/75 3/19/75 4/19/75 5/19/75 6/19/75 7/19/75 8/19/75 9/19/75 10/19/75 11/19/75 12/19/75 1/19/76 2/19/76 3/19/76 4/19/76 5/19/76 6/19/76 7/19/76 8/19/76 9/19/76 10/19/76 11/19/76 12/19/76 1/19/77 2/19/77 3/19/77 4/19/77 5/19/77 6/19/77 7/19/77 8/19/77 9/19/77 10/19/77 11/19/77 12/19/77 1/19/78 2/19/78 3/19/78 4/19/78 5/19/78 6/19/78 7/19/78 8/19/78 9/19/78 10/19/78 11/19/78 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Chicago, Illinois, has inquired concerning this case at the request of his office in Washington, D. C. 11

LEADS:

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LITTLE ROCK DIVISION

AT SPRINGDALE, ARKANSAS

Will continue efforts to interview [redacted] [redacted], to determine when Mrs. AUDREY V. SPENCER is physically able to be interviewed in this matter.

Will interview DON TYSON concerning the employment of Mrs. SPENCER and work she performs as a consultant.

AT FORT SMITH, ARKANSAS

Will keep the U. S. Attorney advised of the developments in this case so opinion can be obtained from him as to whether a Federal violation is involved.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (58-6881)

DATE: 3/14/69

FROM : SAC, LITTLE ROCK (58-95) P

SUBJECT: "CHANGED"
ARTLE B. SPENCER
NACC Poultry Grader,
Consumer Marketing Services,
Poultry Division, U. S.
Department of Agriculture,
Springdale, Arkansas;
AUDREY V. SPENCER, aka
Mrs. Artle B. Spencer,
Vernice Spencer;
DON TYSON
BRIBERY; CONFLICT OF INTEREST
OO: LITTLE ROCK

Spencer, Artle

70
rac
(2)

Re Bureau letter to Little Rock, dated 3/4/69.

Title changed to set forth job description of
ARTLE B. SPENCER.

In accordance with the request contained in
referenced letter, there are enclosed herewith four copies
of a LHM concerning above captioned case.

- ② - Bureau (58-6881) (Enc. 4)
2 - Little Rock (58-95)
HLT/mjm
(4)

ENCLOSURE

1cc CSC
JHH: [signature]
3/25/69

CC TO: CS - Ag
REQ. REC'D 6-12-69
JUN 18 1969
ANS.
BY: [signature] B AEE

Subject

mjc
MCT-24
REC-32

58-6881-3

15 MAR 17 1969

[signature]



0 MAR 26 1969

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

215 U. S. Post Office Building

P. O. Box 1111

Little Rock, Arkansas 72203

March 14, 1969

ARTLE B. SPENCER
NACC Poultry Grader,
Consumer Marketing Services,
Poultry Division, U. S.
Department of Agriculture,
Springdale, Arkansas;
AUDREY V. SPENCER, aka
Mrs. Artle B. Spencer,
Vernice Spencer;
DON TYSON
BRIBERY; CONFLICT OF INTEREST

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[redacted]
Consumer Marketing Services, U. S. Department of Agriculture,
Grading Branch, Poultry Division, 2015 South Pine Street,
Little Rock, Arkansas, on January 21, 1969, and January 30,
1969, advised that ARTLE B. SPENCER is an NACC poultry produce
grader, assigned to the Tyson Poultry Company, Springdale,
Arkansas, and during a recent interview by an investigator
from the Internal Revenue Service, he had learned that Mrs.
ARTLE SPENCER has been receiving \$200 per month since 1965
without obtaining permission from the U. S. Department of
Agriculture Personnel Division in Chicago. He stated this
permission is required by employees of the U. S. Department
of Agriculture so there will be no chance for conflict of
interest.

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[redacted] revealed that Mrs. AUDREY V. SPENCER is
an artist, and not long after the SPENCERS moved to Springdale,
Arkansas, Mr. SPENCER told him that his wife had sold a paint-
ing to TYSON Poultry Company. [redacted] stated he admonished
SPENCER for this, and told him to not let her sell any more
paintings to the company unless he first obtained permission
from the Personnel Section of C&MS.

This document contains neither recommendations nor conclusions
of the FBI. It is the property of the FBI and is loaned to
your agency; it and its contents are not to be distributed out-
side your agency.

58-6881-3

ENCLOSURE

ARTLE B. SPENCER
NACC Poultry Grader,
Consumer Marketing Services,
Poultry Division, U. S.
Department of Agriculture,
Springdale, Arkansas;
AUDREY V. SPENCER, aka
Mrs. Artle B. Spencer,
Vernice Spencer;
DON TYSON
BRIBERY; CONFLICT OF INTEREST

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[redacted], Tyson Poultry Company, Springdale, Arkansas, on February 6, 1969, advised his records fail to reveal that Mrs. ARTLE SPENCER, Mrs. AUDREY V. SPENCER, or VERNICE SPENCER had ever been an employee of the Tyson Poultry Company at Springdale.

[redacted] that inquiry should be made of [redacted] of Tyson Food, Inc., Springdale, Arkansas, to determine if [redacted] had any record of any disbursements made to these individuals.

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[redacted] of Tyson Food, Inc., Springdale, Arkansas, on February 7, 1969, advised he was not surprised of an inquiry being made concerning AUDREY V. SPENCER, as the Tyson Food, Inc., had charged off as expenses, money paid to AUDREY V. SPENCER, and the Internal Revenue Department had questioned this as being a deductible item.

[redacted] stated that AUDREY V. SPENCER of 809 Hinshaw, Springdale, Arkansas, has been paid \$200 a month by Tyson Food, Inc. as a consulting fee and that the agreement to pay her this amount was entered into by DON TYSON, Manager of Tyson Food, Inc. and Mrs. SPENCER, and he is not aware of the type of consulting work Mrs. SPENCER is furnishing.

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[redacted] indicated he was aware of Mr. SPENCER's employment as a poultry produce grader and an employee of the U. S. Department of Agriculture, and stated Mr. SPENCER is not receiving any form of pay from TYSON Food, Inc. He stated the payments to Mrs. SPENCER are coming out of what is known as the General Disbursement Fund of the company.

ARTLE B. SPENCER
NACC Poultry Grader,
Consumer Marketing Services,
Poultry Division, U. S.
Department of Agriculture,
Springdale, Arkansas;
AUDREY V. SPENCER, aka
Mrs. Artle B. Spencer;
Vernice Spencer;
DON TYSON
BRIBERY; CONFLICT OF INTEREST

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[] advised that AUDREY V. SPENCER has been receiving \$200 a month from the company in the form of a consulting fee since November 7, 1964.

ARTLE B. SPENCER, on February 10, 1969, furnished the following information:

During the latter part of 1964 or first of 1965, DON TYSON, owner of Tyson Food, Inc. mentioned he needed someone to do art work, and he told Mr. TYSON that his wife was an artist. He stated his wife is a graduate of a four year course out of an art school at Minneapolis, Minnesota, and in addition has had one and one-half years of work in the advanced art work at the University of Arkansas.

He stated Mr. TYSON came out to his home one day and looked over some of the work his wife had done in the art field and discussed with her the possibility of using her as a consultant for Tyson Food, Inc. in the art field. He stated she went to work for Tyson Food, Inc. on a salary of \$200, and all of her work for Tyson Food, Inc. is done at their home in an area he has constructed in the garage at 809 Hinshaw. He stated his wife advises the Tyson Food, Inc. in the blending of colors, advertising in magazines, does art work for Tyson Food, Inc., and acts as a consultant on any art projects considered by Tyson, including ink work and newspaper layouts.

He stated the job was set up between his wife and Mr. TYSON, and he did not in any way participate in setting up the job for her.

ARTLE B. SPENCER
NACC Poultry Grader,
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Vernice Spencer;
DON TYSON
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On one occasion, he informed, he mentioned her employment as art consultant to [REDACTED] [REDACTED] Consumer Marketing Services, U. S. Department of Agriculture, Grading Branch, Poultry Division, Little Rock, Arkansas, and at the time [REDACTED] did not indicate to him that he felt she should quit her job.

As her job does not, in any way, have anything to do with his own work for Tyson Food, Inc. for the Department of Agriculture, he did not feel that it would be necessary for him to obtain permission from the U. S. Department of Agriculture for her to perform this art work for Tyson Food, Inc.

Since she took the job, he stated, it has not in any way affected his work, he has not been under any pressure, and he does not feel he is indebted in any way to Tyson Food, Inc. for employing his wife as an art consultant.

Mr. SPENCER stated he does not know whether the Tyson Food, Inc. has an art division in the company, and to his knowledge, all the consulting work with Mrs. SPENCER is done by Mr. DON TYSON.

Mr. SPENCER was advised that it would be necessary to interview Mrs. AUDREY V. SPENCER, and he stated that he requested his wife not be interviewed at the present time, as she has had the Asian flu and had a relapse, was in the hospital for a period of seven days, and then allowed by her doctor to go home, and then had to return to the hospital where she spent twenty-six days, being released on December 20, 1968. He stated she is not able to be up but for only a short time from her bed, and that he feels any interview of

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Vernice Spencer;
DON TYSON
BRIBERY; CONFLICT OF INTEREST

her at this time would upset her and possibly place her back in the hospital. He stated she has lost seventeen pounds and as she only weighs 97 pounds at the present time and not in very good health, he would appreciate the interview being held off until she is in better health. He stated her doctor is [REDACTED], Arkansas.

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Contact has been maintained with [REDACTED] Assistant United States Attorney, Fort Smith, Arkansas, who has asked that previous to rendering an opinion as to whether there has been any violation of federal law, he desires that Mrs. AUDREY V. SPENCER be interviewed when she is physically able to be interviewed, and that Mr. TYSON also be interviewed before he renders any opinion in the matter.

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[REDACTED] Arkansas, for the past three weeks has been sick and not available for interview to determine whether Mrs. AUDREY V. SPENCER is in physical condition to the extent where an interview would not endanger her health, and DON TYSON, manager of Tyson Food, Inc., Springdale, Arkansas, has been out of town and unavailable for interview.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE LITTLE ROCK	OFFICE OF ORIGIN LITTLE ROCK	DATE 4/8/69	INVESTIGATIVE PERIOD 3/8-4/4/69	184
TITLE OF CASE CHANGED: <u>0</u> ARTLE B. SPENCER, NACC Poultry Grader, Consumer Marketing Services, Poultry Division, U. S. Department of Agriculture, Springdale, Arkansas; AUDREY V. SPENCER, aka Mrs. Artle B. Spencer, Vernice Spencer; DONALD JOHN TYSON, aka Don Tyson		REPORT MADE BY <div style="border: 1px solid black; height: 20px; width: 150px;"></div>	b6 b7C	TYPED BY gm
		CHARACTER OF CASE BRIBERY; CONFLICT OF INTEREST		

The title of this case is marked changed to reflect the full name of DON TYSON as DONALD JOHN TYSON.

REFERENCES: Report of SA [] dated 2/25/69 at Little Rock.
Little Rock letter to Bureau dated 3/14/69.

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[illegible]

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATIONb6
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Copy to: 1 - U. S. Attorney, Fort Smith

Report of:
Date:SA [REDACTED]
4/8/69

Office: LITTLE ROCK

Field Office File #: LR 58-95

Bureau File #: 58-6881

Title:

ARTLE B. SPENCER;
AUDREY V. SPENCER;
DONALD JOHN TYSON

Character:

BRIBERY; CONFLICT OF INTEREST

Synopsis:

DONALD JOHN TYSON, President, Tyson & Son, Inc., Springdale, Ark., advises in 1964 company was going into the frozen chicken business on greater scale and needed artist to prepare designs for containers. States hired Mrs. ARTLE B. SPENCER, wife of U. S. Department of Agriculture employee who was working as grader at Tyson Processing Plant, as artist consultant at \$200.00 a month after viewing her work. States she prepared designs for containers and has been retained as consultant since 1964. Advises Tyson & Son, Inc., did sixty million dollars in net sales last year and feels \$200.00 a month paid Mrs. SPENCER is very little as she is available on continuing basis for artist consultant opinion. Does not believe conflict of interest involved, was not pressured into hiring her, does not expect any favors from her husband, and does not have any direct contact with him. Was under the impression Mr. SPENCER was to advise U. S. Department of Agriculture. Mrs. ARTLE B. SPENCER is suffering from bacterial endocarditis (damaged heart valve) and her doctor advises she is in hospital in serious condition and should not be interviewed. USA, Fort Smith, Ark., of opinion instant case should be handled as administrative matter by U. S. Department of Agriculture and not a case which could be successfully prosecuted.

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DETAILS:

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

Date April 1, 1969

DONALD JOHN TYSON, President of Tyson & Son, Inc., East Emma Street, Springdale, Arkansas, was interviewed at his place of business at Springdale in the presence of SA JOHN H. LUPTON.

Prior to the interview, DONALD JOHN TYSON was warned of his rights, and he waived them as shown on an executed warning and waiver form. He voluntarily furnished the following information:

In 1964, Tyson & Con, Inc., at Springdale, decided to go into the frozen chicken business on a greater scale and to do so needed special boxes and bags to call attention to their product. ARTLE B. SPENCER, an employee of the U. S. Department of Agriculture who is now a grader at the Tyson Processing Plant at Springdale, mentioned to him that his wife was an artist and possibly capable of performing the necessary art work. He went to the home of ARTLE B. SPENCER where he contacted Mrs. SPENCER and examined some of her art work. He explained to her the type of material needed and entered into an oral contract with her at the rate of \$200.00 a month to prepare the needed items and to act as artist consultant for the firm. Mrs. SPENCER subsequently did the design work for the Old American C Pack, the Petit Jean "B" pack, and the Tyson Pride pack. Too, she was consulted at various times on other matters pertaining to packaging and had prepared the design used by Tyson & Son on the egg cartons. For over a year, he has not had any contact with Mrs. SPENCER, and he doubts if [redacted]

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[redacted], has had any contact with her. However, he has continued to pay her the \$200.00 a month as an art consultant as he feels this is a very little amount to pay to have someone available when needed to help with designs, colors, etc. Mr. TYSON informed he has over 2,000 employees, the company last year did \$60,000,000 net sales, and there is \$13,000,000 worth of stock issued by the company.

His offices, he stated, are located on East Emma Street in Springdale, and Mr. ARTLE B. SPENCER performs

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On 3/17/69 at Springdale, Arkansas File# LR 58-95

by SAs [redacted] and
JOHN H. LUPTON - HLT/gm Date dictated 3/25/69

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LR 58-95

his work as grader at the Tyson Processing Plant on Highway 71 north at Springdale, and he does not have any direct contact with Mr. SPENCER. When he entered into the agreement with Mrs. SPENCER, he did not feel there was any conflict of interest in her work and that of her husband. Too, he did not feel Mr. SPENCER owed him any favors for hiring his wife, nor did he hire her under any pressure from Mr. SPENCER or anyone else. She was hired as an art consultant as her services were needed. Mr. TYSON informed he was under the impression when Mrs. SPENCER was hired, that Mr. SPENCER was advising the U. S. Department of Agriculture of his wife's employment and when he hired her did not anticipate any problems.

The following is the description of DONALD JOHN TYSON:

Name	DONALD JOHN TYSON
Age	38
Date of birth	4/21/30, Olathe, Kansas
Height	5'8"
Weight	165
Eyes	Blue
Hair	Dark brown
Build	Stocky
Complexion	Fair
Scars	None
Marital status	Married - two children.

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[redacted]
[redacted], Arkansas, who has been ill and not available for contact, on March 11, 1969, advised Mrs. ARTLE B. SPENCER is his patient and for over three weeks had been in the Memorial Hospital in Springdale. He stated she had bacterial endocarditis, which is a damaged heart valve, and he does not at this time feel she should be interviewed as it might aggravate her heart condition and he suggested he be recontacted in about three weeks. According to [redacted] before any interview of Mrs. SPENCER is conducted, he should be consulted.

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On April 4, 1969, [redacted] was recontacted. He stated Mrs. SPENCER's condition is extremely serious, and if she lives, it is doubtful if any interview of her on any matter which might in some way excite her should be conducted as it might prove fatal.

On April 4, 1969, [redacted] Assistant U. S. Attorney, Fort Smith, Arkansas, was furnished with the results of the interview of DONALD JOHN TYSON, Springdale, Arkansas, the present physical condition of Mrs. ARTLE B. SPENCER. [redacted] advised he is of the opinion this matter does not need further investigative attention, that successful Federal prosecution for bribery or conflict of interest would be impossible, and it appears it is a matter which should be handled administratively by the U. S. Department of Agriculture.

b6
b7C

UNITED STATES GOVERNMENT

Memorandum

TO

SAC, Little Rock (Your file _____) DATE: 4/15/69

FROM

Director, FBI (Bufile and Serial 58-6881)Room No. 1250
☒ Post in file and
destroy 0-1
(For SOG use
only)

SUBJECT:

Antle Spencer
Audrey W. (Mrs. Antle) Spencer
Barkley, COT
☐ 1. Bufiles indicate this case is delinquent. Give specific reason for delinquency.
b6
b7C
☐
☒ 2. DATE ☐ airtel ☐ letterhead memo ☐ submitted
☒ report ☐ letter ☐ 90-day progress letter
Reporting employee SA
☐ 3. If valid reason exists for not submitting _____, state reason specifically and when report will be submitted _____

☒ 4. Status of ☐ Appeal ☐ Inquiry ☒ Investigation ☐ Prosecution
☐ 5. Submit ☐ airtel ☐ letterhead memo
☐ report ☐ letter ☐ 90-day progress letter by _____

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
APR 16 1969	
FBI - LITTLE ROCK	

(Place reply hereon and return to Bureau. Note receipt and acknowledgment on top serial-in-case file.)

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (58-6881)

DATE: April 24, 1969

FROM : SAC, Little Rock (58-95) (C)

SUBJECT: ARTLE B. SPENCER,
NACC Poultry Grader,
Consumer Marketing Services,
Poultry Division, U. S. Department
of Agriculture, Springdale, Arkansas;
AUDREY V. SPENCER, aka
Mrs. Artle B. Spencer,
Vernice Spencer;
DONALD JOHN TYSON, aka
Don Tyson
BRIBERY; CONFLICT OF INTEREST
OO: LR

b6
b7c

ReBulet, 4/17/69, and rerep SA []
dated 4/8/69 at Little Rock.

Enclosed for Bureau are four copies of amended
FD 204 for rerep which show in Line 24 of synopsis the
word "doctor" is substituted for the word "daughter."

U. S. Attorney, Fort Smith, advised of
correction to be made and Little Rock copy corrected.

2 - Bureau (Enc. 4)
1 - Little Rock
HLT/gm
(3)

ENCLOSURE

Ret. and Filed
in ser. 4
Cons. / ah
5/1/69

58-6881-
NOT RECORDED
APR 28 1969



54 MAY 2 - 1969

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

SAC, Little Rock (58-95)

April 17, 1969


Director, FBI (58-6881)-4

1 - 
1 - 
1 - FOF

ARTLE B. SPENCER, ETC.;
ET AL.
BRIBERY; CONFLICT OF INTEREST
OO: LITTLE ROCK

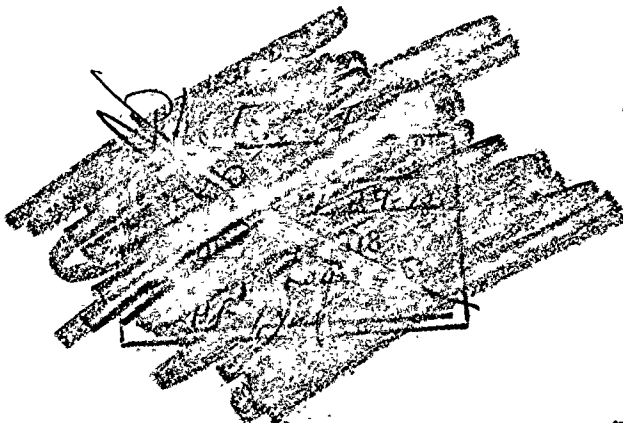
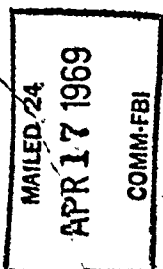
b6
b7C

Rerep SA  dated 4/8/69 at Little Rock.

Rerep is not being disseminated pending receipt from Little Rock of appropriate amended pages, it being noted details of rerep failed to backup information in synopsis that Mrs. Artle B. Spencer's daughter advised of certain information concerning Mrs. Spencer's serious physical condition. The details indicate this information was obtained from .

Score nonsubstantive errors to responsible personnel and promptly submit appropriate amended pages.

JHH/lrk
(6)

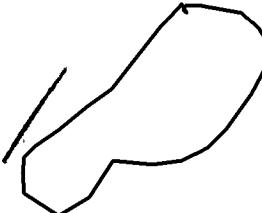


b6
b7C

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

343
MAY 2 1969

MAIL ROOM ☐ TELETYPE UNIT ☐



Handwritten signature or initials.